

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

OSCAR RODRIGUEZ, ESEQUIEL)	
RODRIGUEZ and JUAN RODRIGUEZ,)	
)	
Plaintiffs/Judgment Creditors,)	
)	
v.)	No. 4:07-MC-447 CAS
)	
LAWNS OF DISTINCTION, LTD. and)	
JOHN ANDREWS,)	
)	
Defendants/Judgment Debtors,)	
)	
v.)	
)	
EKM ENTERPRISES, INC., d/b/a)	
LAWNS OF DISTINCTION, GARY C.)	
ANDREWS, and SHARON ANDREWS)	
)	
Third Party Defendants.)	

CONSENT PRELIMINARY INJUNCTION

Plaintiffs/Judgment Creditors Oscar Rodriguez, Esequiel Rodriguez and Juan Rodriguez (collectively “Plaintiffs”) filed a Motion for a Temporary Restraining Order and Preliminary Injunction in this case seeking to restrain Defendants/Judgment Debtors John Andrews and Lawns of Distinction, Ltd. from transferring any of their assets, and to restrain the Third Party Defendants EKM Enterprises, Inc. d/b/a Lawns of Distinction, Gary C. Andrews and Sharon Andrews, from disposing or otherwise transferring any assets that had been transferred to them by the Defendants/Judgment Debtors, pursuant to the Missouri Uniform Fraudulent Transfer Act, Mo. Rev. Stat. §§ 428.029, et seq. (2000). Plaintiffs alleged that the Defendants/Judgment Debtors were fraudulently transferring

their assets to the Third Party Defendants in order to avoid Plaintiffs' efforts to collect their judgment against the Defendants/Judgment Debtors.

On September 23, 2008, the Court issued a Temporary Restraining Order that enjoined Defendants/Judgment Debtors John Andrews and Lawns of Distinction, Ltd. from transferring any assets and enjoined Third Party Defendants EKM Enterprises, Inc. d/b/a Lawns of Distinction, Gary C. Andrews and Sharon Andrews, from transferring any assets that had at any time been transferred to them by Defendants/Judgment Debtors, until a hearing on the motion for preliminary injunction could be held.

Plaintiffs' motion for preliminary injunction came on before the Court for hearing on October 3, 2008. At that time, Third Party Defendant EKM Enterprises, Inc., the title holder to certain assets transferred to it from Defendants John Andrews and Lawns of Distinction, Ltd., and Gary C. Andrews and Sharon Andrews, the lien holders on said assets, and Plaintiffs announced they were in agreement that Plaintiffs' Motion for Preliminary Injunction should be granted, and Third Party Defendants should be enjoined from transferring any assets that had at any time been transferred to them by Defendants John Andrews and/or Lawns of Distinction, Ltd.

Counsel, by their signatures, warrant that they have the consent and authorization of their clients to enter into this consent preliminary injunction order.

Agreed to by: /s/ Jeffrey Elnicki
Jeffrey Elnicki
McCarter & Greenley, LLC
Attorney for EKM Enterprises, Inc.,
Gary C. Andrews and Sharon Andrews


/s/ Nathaniel C. Norton
Nathaniel C. Norton
Texas RioGrande Legal Aid, Inc.
Attorney for Plaintiffs

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' Motion for a Preliminary Injunction against Third Party Defendants EKM Enterprises, Inc. d/b/a Lawns of Distinction, Gary C. Andrews and Sharon Andrews is **GRANTED**. [Doc. 32]

IT IS FURTHER ORDERED that the Third Party Defendants EKM Enterprises, Inc. d/b/a Lawns of Distinction, Gary C. Andrews and Sharon Andrews, their officers, agents, servants, employees and attorneys, and any other persons who are in active concert with them, are enjoined from transferring any assets that had at any time been transferred to them by Defendants John Andrews and/or Lawns of Distinction, Ltd., pending further order of the Court.

IT IS FURTHER ORDERED that pursuant to Rule 65(c), Fed. R. Civ. P. the \$500.00 bond previously posted by Plaintiffs remains in effect as security in connection with this preliminary injunction.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 7th day of October, 2008.